

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Barry Portnoy

Debtor

CHAPTER 7

M&T BANK

Movant

vs.

NO. 14-16081 MDC

Barry Portnoy

Debtor

Robert H. Holber Esq.

Trustee

11 U.S.C. Section 362

**STIPULATION**

AND NOW, it is hereby stipulated and agreed by and between the undersigned as follows:

1. The post-petition arrearage on the mortgage held by Movant on the Debtor's residence is **\$1,026.00**, which breaks down as follows;

Fees & Costs Relating to Motion: \$850.00 MFR; \$176.00 Filing Cost

**Total Post-Petition Arrears \$1,026.00**

2. The Debtor shall cure said arrearages in the following manner;

a). Within seven (7) days of the filing of this Stipulation, Debtor is to submit payment of the post-petition arrears to Movant.

b). Maintenance of current monthly mortgage payments to Movant thereafter.

3. Should debtor provide sufficient proof of payments (front & back copies of cancelled checks and/or money orders) made, but not credited, Movant shall adjust the account accordingly.

4. In the event the payments under Section 2 above are not tendered pursuant to the terms of this stipulation, Movant shall relist its Motion for Relief and request a new hearing date to seek relief.

5. Both parties are in agreement that should Movant's Motion be relisted, no further stipulations or agreed orders will be negotiable.

6. If the instant bankruptcy is terminated by either dismissal or discharge, this agreement shall be null and void, and is not binding upon the parties.

7. The provisions of this stipulation do not constitute a waiver by Movant or Debtor of its right to seek reimbursement of any amounts not included in this stipulation, including fees and costs, due under the terms of the mortgage and applicable law.

8. The parties agree that a facsimile signature shall be considered an original signature.

Date: October 3, 2016

By: /s/ Joshua I. Goldman, Esquire  
Joshua I. Goldman, Esquire  
Attorneys for Movant  
KML Law Group, P.C.  
Main Number: (215) 627-1322

Date: October 3, 2016

/s/ John E. Kaskey, Esquire  
John E. Kaskey, Esquire  
Attorney for Debtor

Approved by the Court this \_\_\_\_ day of \_\_\_\_\_, 2016. However, the court retains discretion regarding entry of any further order.

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Bankruptcy Judge  
Magdeline D. Coleman